IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.R.No. 6357 of 2006
Date of decision : 11.12.2006.

Kulbir Singh & Anr.

.....Petitioners.

Versus

Smt.Jasmeri & Ors.

.....Respondents.

CORAM : HON'BLE MR. JUSTICE VINOD K. SHARMA

Present : Mr.Som Nath Saini,Advocate
for the petitioners.

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VINOD K. SHARMA,J.(ORAL)

The petitioners by way of this revision petition have challenged the order dated 20.9.2006 passed by the learned Additional District Judge, Yamunanagar vide which the learned Court has been pleased to allow all the applicants to be brought on record as the legal representatives. The learned Court below has further held that the validity of will can be decided in the separate proceedings and in order to arrive at this conclusion reliance has been placed on the judgment of this court in ***Pardeep Singh Vs. Smt. Usha Sood 2002(1) Civil Court Cases 612.***

The impugned order is, thus, in consonance with the law laid down by this Hon'ble Court which does not call for interference by this Court in exercise of revisional jurisdiction.

Dismissed.

However, keeping in view the fact that either of the parties would ultimately be entitled to compensation deposited in the Court and

which is to be paid by the Improvement Trust, Yamunanagar. Accordingly, in the interest of justice, it is ordered that the total amount of compensation i.e. the amount deposited in the executing Court as well as the balance to be deposited by Improvement Trust in the executing Court be deposited in a fixed deposit in a Nationalized Bank so that the beneficiary can get benefit of interest which may accrue on the said FDR. The needful be done within one month on receipt of certified copy of this order.

11.12.2006 **(VINOD K. SHARMA)**
'sp' **JUDGE**